

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

OSCAR L. RAMOS MELENDEZ,
Manager of the State Insurance Fund
Corporation; NOEMI TORRES PEÑA

Plaintiff(s)

CIVIL NO. 97-2644 (JAG)

v.

THE M/V "EMILY S", etc., et al

Defendant(s)

METLIFE CAPITAL CORPORATION,

Defendant and Third Party Plaintiff

v.

CARIBBEAN PETROLEUM
CORPORATION

Third Party Defendant

ORDER

The Court has reviewed the parties' joint submission in response to the Questionnaire (Docket No. 20). The responses – and the record – reveal that the parties have engaged in minimal activity in the case for well over *two years* – since January, 1999. While the parties forthrightly admit that no discovery has been conducted in the case, the Court believes that more than ample time has elapsed between the filing of the case and the date of this order to warrant either settlement negotiations or a trial. In the response to the questionnaire, dated February 2, 2001, the parties indicated that they would need approximately six months from the date of filing before a trial could

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CT Deputy
6/13/01

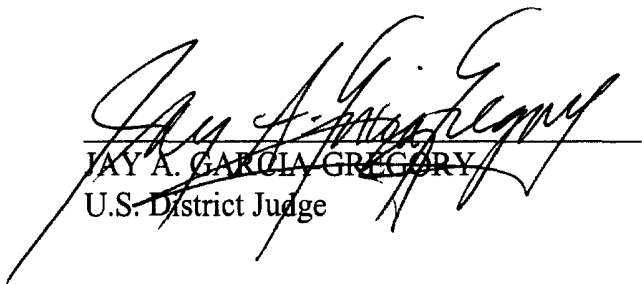
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be held. Even under that extremely generous schedule, over four months have elapsed since that date, with virtually no additional submissions from either party. This case will be idle no longer. This undue delay is not only undesirable, but also unnecessary.

The Court hereby orders the parties to file a Proposed Pre-Trial Order on or before **June 27, 2001**. Counsel shall serve a courtesy copy with the Court on that date. Moreover, the parties shall appear for a Pre-Trial and Settlement Conference on **June 28, 2001 at 11:00 a.m.** Counsel for the parties shall have their respective principals available *throughout the duration of the Conference* for settlement negotiation and approval purposes. Should settlement efforts fail to bear fruit, the Court will schedule trial (at the conclusion of the Conference) for late July or early August, 2001.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 11th day of June, 2001.



JAY A. GARCIA-GREGORY
U.S. District Judge